

## MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 21st day of February, two thousand twelve.

Before: JOSÉ A. CABRANES,  
RICHARD C. WESLEY,  
*Circuit Judges*,  
JOHN G. KOELTL,\*  
*District Judge*.

Parmalat Capital Finance Limited,

Plaintiff-Appellant,

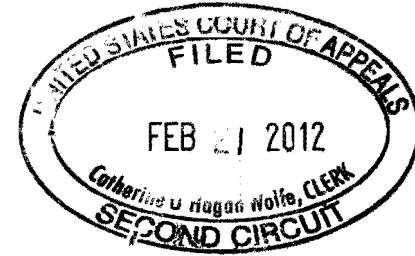
Dr. Enrico Bondi, Extraordinary Commissioner of  
Parmalat Finanziaria S.p.A., Parmalat S.p.A.,  
and other affiliated entities, in Extraordinary Administration  
under the laws of Italy,

Plaintiff-Counter Defendant-Third-Party-Defendant-Appellant,

Capital & Finance Asset Management S.A.,  
Cattolica Partecipazioni S.p.A., Hermes Focus Asset Management  
Europe Limited, Erste Sparinvest Kapitalanlagegesellschaft M.B.H., Solotrat,  
Societe Moderne des Terrassements Parisiens, Renato Esposito,  
Fondazione Italo Monzino, Southern Alaska Carpenters Pension Fund,  
on behalf of itself and all others similarly situated, Cristina Poncibo,  
Margery Louise Kronengold, Robert McQueen, Custodian, individually  
and on behalf of all others similarly situated, Ferri Giampolo,  
Food Holdings Limited, Dairy Holdings Limited, G. James Cleaver,  
Gordon I. MacRae, Gerald K. Smith, Laura J. Sturaitis,  
Monumental Life Insurance Company, TransAmerica Occidental  
Life Insurance Company, TransAmerica Life Insurance Company,  
Aviva Life Insurance Company, Principal Global Investors, LLC,  
Principal Life Insurance Company, Scottish Re {US} Inc.,  
Hartford Life Insurance Company, Plan Administrator G. Peter Pappas,

Plaintiffs,

v.



## JUDGMENT

Docket No.: 09-4302 (Lead)  
09-4306 (Con.)  
09-4373 (Con.)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: February 21, 2012

MANDATE ISSUED ON 02/21/2012

Bank of America Corporation, Banc of America Securities Limited,  
Bank of America, N.A., Bank of America National Trust & Savings Association,  
Banc of America Securities LLC, Bank of America International, Ltd.,  
Grant Thornton International, Ltd,

Defendants-Appellees,

Grant Thornton International, Grant Thornton LLP,

Defendants-Third-Party-Plaintiffs-Counter-Claimants-Appellees,

Deutsche Bank AG, Morgan Stanley & Co., Incorporated,  
Bonlat Financing Corporation, Calisto Tanzi, Fausto Tonna,  
Coloniale S.p.A., Citigroup Inc., Buconero, LLC, Zinni & Associates, P.C.,  
Deloitte Touche Tohmatsu, Deloitte & Touche S.p.A.,  
a Societa per Azioni under the laws of Italy, James E. Copeland Jr.,  
Parmalat Finanziaria S.p.A., Stefano Tanzi, Luciano Del Soldato,  
Domenico Barili, Francesco Giuffredi, Giovanni Tanzi,  
Deloitte & Touche USA, LLP, Deloitte & Touche L.L.P.,  
Credit Suisse First Boston, Citibank, Eureka Securitisation plc,  
Vialattea LLC, Pavia E Ansaldo, Banca Nazionale Del Lavoro S.p.A.,  
Citibank, N.A., Professor Maria Martellini, Banca Intesa S.p.A.,  
Deloitte & Touche Tohmatsu Auditores Independentes,  
Credit Suisse International, Credit Suisse Securities (Europe) Limited,  
Credit Suisse, Credit Suisse Group, Grant Thornton S.p.A.,  
a Societa per Azioni under the laws of Italy, now known as Italaudit, S.p.A.,

Defendants,

Parmatour S.p.A.,

Defendant-Third-Party-Defendant.

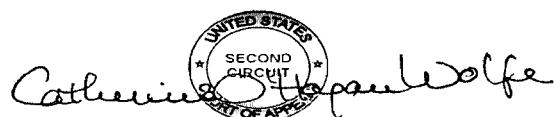
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The appeal in the above captioned case from a judgment of United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the judgment of the district court is VACATED and the cases are REMANDED to the District Court with instructions to transfer them to the Northern District of Illinois for remand to Illinois state court. The mandate shall issue forthwith.

For The Court,

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

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\*Hon. John G. Koeltl, of the United States District Court for the Southern District of Texas, sitting by designation.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



  
Catherine O'Hagan Wolfe